

**Ag Video Conference Notes**  
**November 19, 2008**  
**9 a.m.**

**Present:** Tom McCarthy, Gene Tinker, Eric Wiklund, Cindy Martens, Ken Hessenius, Paul Petitti, Jeff Prier, Dan Olson, Dan Stipe, Randy Clark, Bob Palla, Sara Smith, Karen Grimes, Claire Hruby, Bill Gibbons, and Bert Noll.

The video equipment had problems with the audio cutting in and out, so we switched the meeting to phone conferencing.

**Open Lots** – Capacity can be determined by what the producer says will be his/her maximum number of animals, even if the lot has the potential to hold more animals. If they are a large CAFO going under the animal threshold for requiring a permit they must enter into a Consent Order which they sign and is also signed by the Director. DNR will also require documentation such as inventory numbers to be submitted periodically. Randy, Gene and Ken will work with Ed to determine a procedure for this Consent Order (which will most likely be the “Referral Process”). They will also need to determine the documentation necessary for this, as well as a time table or frequency of submittal for the documentation.

**No Discharge** EPA rules allow for a voluntary certification process for lots that do not propose to discharge. This will give them protection in that they will be subject only to the liability of the discharge, not the liability for failure to seek permit coverage. These facilities still need to do an NMP and keep it and records on site. Gene pointed out that this is **NOT** an option in Iowa at this time. If producer groups feel it is an option that they want then we would anticipate them presenting a bill to the legislature in 2009. Safe approach is that if there is any doubt, get a permit.

If you know of facilities that will qualify for NPDES permitting by 12/31/08 your office should keep a list of these sites. If they have not submitted by the deadline a letter is being drafted by Bill G., Dan O. and Ted P. informing these producers of the regulations and that we are assuming that they are taking the “no discharge” route. This letter will be in template form for each field offices use.

**MMP fields in other states:** Iowa has taken the environmentally safe approach and is requiring Iowa facilities with fields in other states to use the IA P-index with comparable fields, soils and land forms when doing their plan. The RUSLE tool is universal so should not pose any problem. If you have questions on this Jeremy Klatt is a good resource.

**Well Variances Open Lots-** The procedure for these is that the review engineer will grant the variances based upon recommendation from the geologist. The field office will not be writing the well variances.

**SOI Form 542-8167-** has been redone so that it can be used for NMP’s as well as MMP’s. Karen will get it posted on our website by the end of the week. Please replace any old forms that you have at that time.

**Manure application to frozen ground-** Claire reported that the first draft of these rules may be viewed on the IMMAG website. <http://extension.agron.iastate.edu/immag>

**Digesters-**Paul will work with Christine Spackman and Randy C. to redo the PIG for digester construction and permitting. They will separate those for confinements, open lots and industrial to better match the rules and create consistency in permitting future projects.

**Webcasts for new Federal Rules** All AFO staff is encouraged to watch these to better understand the Federal Rules. They will be published in the Federal Register on 11/20/08 and effective on 12/20/08. States have 1 year to adopt these rules if there is no statutory changes and 2 years if they require statutory change. Updates, fact sheets, etc. can be viewed at <http://www.epa.gov/npdes/afo> (The webcast broadcast today 11/19/08 was very interesting and was 2 hours long, it may be archived at this location.??)

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The EPA R7 webcast will be archived and available for viewing on Nov. 20 at:

<http://accordent.powerstream.net/008/00136/CAFO/> (This was only about 20 min. and was questions answered by Donna Porter and Dan Breedlove).

The **Friday November 21, 2008**, webcast will be on "Changes to the EPA CAFO Regulations". The presenters are George Utting and Paul Shriner, US EPA. They will discuss the newly-signed regulations and the implications for livestock and poultry producers. The presentation will begin at 1:30 pm (central). More information about this webcast is at: <http://pubwiki.extension.org/mediawiki/files/c/c9/08novflyer.pdf>.

On the day of the webcast, you can access the virtual meeting room by visiting [http://www.extension.org/pages/Live\\_Webcast\\_Information](http://www.extension.org/pages/Live_Webcast_Information) and following the links on that page.

If you are unable to participate in a live webcast, you can access the archived version at: [http://www.extension.org/pages/Archived\\_Webcasts%2C\\_Livestock\\_and\\_Poultry\\_Environmental\\_Learning\\_Center](http://www.extension.org/pages/Archived_Webcasts%2C_Livestock_and_Poultry_Environmental_Learning_Center)

First-time webcast viewers can visit the following page to ensure access to the webcast system. [http://www.extension.org/pages/How\\_Do\\_I\\_Participate\\_in\\_a\\_Webcast%3F](http://www.extension.org/pages/How_Do_I_Participate_in_a_Webcast%3F).

**Stockpiling PIG-** It was discussed that the stockpiling PIG is now being used for permitted bedded barns and is "trumping" the permit requirements. Examples cited were that the facility decided not to build their permitted manure "storage buildings" and are instead using the PIG to build or utilize "stockpiling structures". The permit does not need to be amended as a permit does not require them to build all that is permitted.

Example: They can get permitted for 10 buildings and only choose to build 8.

Example: The permit states a cement floor manure storage building, but they are choosing to build an earthen floor stockpiling structure which is allowed per the stockpiling PIG.

Example: The concrete loading pads at the end of the buildings will not need to be roofed or confined as they can be classified as temporary stockpiles where manure is present <15 days.

It was noted that this PIG was originally written to improve the stockpiling situation with confined, unpermitted poultry facilities and has now grown to include large bedded barns.

**Unpermitted Construction Dates:** Please be reminded that field offices should be issuing construction dates to unpermitted facilities 30 days after a complete application is received by your office. This is not the date that the county receives the application, nor the date you first receive incomplete information. The only hold up may be karst or alluvial determinations, but as long as you know that the determination is being sought you can start the timeline from the submittal date and of course wait for a favorable determination.

Submitted by Cindy Martens